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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5037**
Hideki YOSHIKAWA et al. : Attorney Docket No. 2005_0714A
Serial No. 10/533,584 : Group Art Unit 1609
Filed May 3, 2005 : Examiner Meera Natarajan
AGENT FOR TREATING CHONDROMA
AND CHONDROSARCOMA : **Mail Stop: AMENDMENT**

SUPPLEMENTAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Further to the response filed November 5, 2007, attached is a Rule 132 Declaration by the Applicants.

This declaration overcomes the 102(a) rejection over Miyaji et al. set forth in item 7 on page 6 of the Office Action dated May 3, 2007. The declaration removes Miyaji et al. as a 102(a) reference by demonstrating that the reference is not by "another." Please see item IV on page 7 of the November 5, 2007 response.

Favorable action on the merits is solicited.

Respectfully submitted,

Hideki YOSHIKAWA et al.

By:


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November 28, 2007



382.1029DIV2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Applicants: Yoshikawa, et al.

Serial No.: 10/533,584

Filed: May 3, 2005

For: **TREATING CHONDROMA AND CHONDROSARCOMA**

Examiner: Meera Natarajan

Art Unit: 1609

DECLARATION OF INVENTORS
HIDEKI YOSHIKAWA AND TAKAHIRO MIYAJI UNDER 37 C.F.R. § 1.132

SIR:

We, Hideki Yoshikawa and Takahiro Miyaji declare as follows:

1. That we are the sole inventors of the invention described and claimed in the above-identified application.
2. That we are also the authors of the reference cited by the Examiner, i.e., Miyaji et al. (The Japanese Cancer Association Sokai Kiji, P.174, Aug. 25, 2002) (cited in the IDS of May 5, 2005).
3. That our co-authors on the paper, Susumu Joyama, Akira Myoui, and Takafumi Ueda, are not inventors of the invention described and claimed in this application. Our co-authors were merely working under our direction and control.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true. Further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

382.1029DIV2

fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

Date: November 21, 2007

Hideki Yoshikawa

Hideki Yoshikawa

Date: November 22, 2007

Takahiro Miyaji

Takahiro Miyaji